

REMARKS

Claims 16-18, 31 and 32 have been objected to based on the noted informalities. These claims have been amended to obviate the objections thereto. The claims have also been amended to obviate the rejection thereof based upon 35 U.S.C. 112, second paragraph.

Claims 1-12 and 14-18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mo ('959) in view of Criton ('356) and Rubin. Claim 13 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the above combination of references and further in view of Heimdal ('078). Finally, claims 28-34 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mo in view of Criton, Rubin and Dala-Krishna ('045).

Claims 1-18 and 28-34 have been amended to recite a method of measuring ventricular dyssynchrony of a heart. This process is illustrated in Fig. 5 of the present application, for example. The Mo reference relates to the measurement of blood velocity within a blood vessel. There is no teaching or suggestion of the use of gated detection of heart wall motion, particularly along two distinct (septal and lateral) heart wall locations. The Criton reference discloses a technique for edge detection of

borders of the heart wall. However, there is no description or suggestion of a process using at least two distinct gated Doppler lines to measure heart wall dysynchrony, or to use such measurements in selecting lead delay settings for a pacemaker. The Rubin, Heimdal and Dala-Krishna references also fail to disclose such a method, either alone or in combination. Reconsideration of the claims is respectfully requested.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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